AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Figure 1, and replaces the original sheets of drawings.

Figure 1 is revised to add labels to elements 12, 13 and 15.

Annotated sheets are not required per MPEP §608.02(p).

Attachment: Replacement Sheet   1

REMARKS

Claims 1-82 are pending. Claims 1-82 are rejected.

Amendments to the Specification

The specification is amended to correct typographical and grammatical errors.

The amendment to page 10 ("Activate PDP Context Reject" (step [[207]] 206)) is supported throughout the specification, e.g. Fig. 2 where element 206 is labeled "Reject Activation".

No new matter is added.

Amendments to the Claims

Claims 1-68 and 70-82 are amended with clarifying amendments. As these amendments do not relate to patentability the full range of equivalents should be maintained.

No new matter is added.

Amendments to the Drawings

The Examiner has objected to the drawings under 37 CFR 1.83 (a).

Figure 1 is revised to add labels to elements 12, 13 and 15.

Element 12 is amended to be labeled as 'Display'. This amendment is supported throughout the specification, such as on page 8, line 14: "display unit 12".

Element 13 is amended to be labeled as 'Input'. This amendment is supported throughout the specification, such as on page 8, lines 12-22. In this section, MS 10 is described as typically containing a "keyboard unit 13 for a user interface"; a "microphone" is also described.

Element 15 is amended to be labeled as 'Buffer'. This amendment is supported throughout the specification, such as on page 8, line 19: "buffer unit 15".

No new matter is added.

Drawings

The Examiner has objected to the drawings under 37 CFR 1.83 (a). Without expressly or impliedly admitting that the Applicant is in agreement with the Examiner's rationale the drawings have been amended as suggested and the objection should be removed.

REJECTION MADE UNDER 35 U.S.C. 103(A)

The Examiner has rejected claims 1-8, 23-28, 43-48 and 63-68 as being unpatentable under 35 U.S.C. 103(a) over Ravishankar et al. (U.S. Patent Pub. No. 2003/0060210), herein Ravishankar, and Puuskari et al. (U.S. Patent Pub. No. 2002/0032800), herein Puuskari. The Applicant includes the following comments to clearly distinguish the claimed invention over the art cited by the Examiner, and respectfully requests a favorable reconsideration of claims 1-8, 23-28, 43-48 and 63-68.

These rejections are respectfully disagreed with, and are traversed below.

It is well established law that in order for an obviousness rejection to be proper, the Patent Office must meet the burden of establishing a prima facie case for obviousness. Thus, as interpreted by the Courts, the Patent Office must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that in accordance with *In re Lee*, the prior art must contain a suggestion, teaching, or motivation for one of ordinary skill in the art to modify a reference or combine references; and that the proposed modification must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made.[1]

Regarding independent claim 1, which recites:

> "A method comprising:
> at a certain protocol layer, receiving a first packet data message from an upper protocol layer, which first packet data message belongs to a first packet data protocol context characterised by certain first connection information,
> at said certain protocol layer, receiving a second packet data message from an upper protocol layer, which second packet data message belongs to a second packet data protocol context characterised by certain second connection information,
> **reordering** said first packet data message and said second packet data message **at said certain protocol layer** according to a relative urgency of transmission of said first and second packet data protocol contexts, and

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1 *In Re Fine, 5 U.S.Q.2d 1596, 1598 (Fed. Cir. 1988); In Re Wilson, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); Agmen v. Chugai Pharmaceuticals Co., 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996); In Re Sang Su Lee, 277 F.3d 1338, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002).*

delivering said first packet data message and said second packet data message further from said certain protocol layer **in reordered order**" (emphasis added).

The Examiner asserts that Ravishankar does not disclose reordering the packet data. The Applicant agrees with the Examiner on this point.

The Examiner asserts that Puuskari discloses "reordering packet data (para. 49)". Consider the cited portion of Puuskari:

> "For Mobile Originated (MO) data, the MS schedules data packets based on the QoS information received from the application or from the GPRS protocol suite in the Terminal Equipment. The **MS schedules the MO packets** according to their delay class. On the SNDC layer, the **MS selects the appropriate LLC SAP** (Service Access Point) indicated by the SGSN during PDP context activation or modification" (paragraph [0049], emphasis added).

Consider further:

> "The basic idea of the invention is that for at least some data flows (such as real-time applications), the **mapping being performed** in the boundary node (i.e., the GGSN) is **based on a filter** which is configurable (by selection or modification) from a user/terminal" (paragraph [0007], emphasis added).

This section appears to describe the MS scheduling packets by selecting "the appropriate LLC SAP". There is no disclosure of packets received "from an upper protocol layer" "**at said certain protocol layer**" being reordered and being delivered "from said certain protocol layer in reordered order". Clearly, Puuskari does not disclose or suggest reordering packet data messages at a certain protocol layer, and delivering the packet data messages from the certain protocol layer in reordered order as in claim 1.

Neither Ravishankar nor Puuskari disclose or suggest reordering packet data messages at a certain protocol layer, and delivering the packet data messages from the certain protocol layer in reordered order as in claim 1. Furthermore there is no suggestion that Ravishankar-Puuskari would very from the specification that dictate "upper layer PDUs shall be delivered in the order they are received from upper layers" as described (page 3, lines 8-9 of this application as filed). Therefore, the combination of Ravishankar and Puuskari, herein Ravishankar-Puuskari, does not

disclose or suggest claim 1. Thus claim 1 is in a condition for allowance.

As claims 23, 43, and 63 recite similar language to that discussed above with reference to claim 1, claims 23, 43, and 63 are likewise in condition for allowance.

As all of claims 2-8, 24-28, 44-48 and 64-68 depend upon claims 1, 23, 43, and 63, they are likewise in condition for allowance.

The Examiner has rejected the Applicant's claims 9-22, 29-42, 49-62 and 69-82 as being unpatentable under 35 U.S.C. 103(a) over Ravshankar in view of Puuskari and in further view of Yang et al. (U.S. Patent No. 6,996,061), herein Yang. The Applicant includes the following comments to clearly distinguish the claimed invention over the art cited by the Examiner, and respectfully requests a favorable reconsideration of claims 9-22, 29-42, 49-62 and 69-82.

These rejections are respectfully disagreed with, and are traversed below.

As seen above, Ravishankar-Puuskari does not disclose or suggest reordering packet data messages at a certain protocol layer, and delivering the packet data messages from the certain protocol layer in reordered order as in claim 1.

Yang is not suggested as remedying the deficiencies of Ravishankar-Puuskari. Clearly, the combination of Ravishankar-Puuskari and Yang, herein Ravishankar-Puuskari-Yang, does not disclose or suggest reordering packet data messages at a certain protocol layer, and delivering the packet data messages from the certain protocol layer in reordered order as in claim 1. Thus claim 1 is in a condition for allowance.
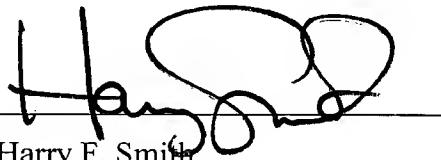
As claims 23, 43, and 63 recite similar language to that discussed above with reference to claim 1, claims 23, 43, and 63 are likewise in condition for allowance.

As all of claims 9-22, 29-42, 49-62 and 69-82 depend upon claims 1, 23, 43, and 63, they are likewise in condition for allowance.

In light of the discussion above, the Applicant respectfully asserts that a prima facie case for obviousness was not presented as required by the court in *In re Lee*. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw these rejections to claims 1-82.

For the foregoing reasons, the Applicant believes that each and every issue raised by the Examiner has been adequately addressed and that this application is in a condition for allowance. As such, early and favorable action is respectfully solicited.

Respectfully submitted:

_____   _11/28/2007_____
Harry F. Smith   Date
Reg. No.: 32,493
Customer No.: **29683**

HARRINGTON & SMITH, PC
4 Research Drive
Shelton, CT 06484-6212

Telephone: (203)925-9400
Facsimile: (203)944-0245
email: hsmith@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

11/28/2007

Date

Elaine F. Mian

Name of Person Making Deposit